

59TH LEGISLATURE—REGULAR SESSION

"(e) All bonds issued hereunder shall, after approval by the Attorney General, registration by the Comptroller of Public Accounts of the State of Texas, and delivery to the purchasers, be incontestable and shall constitute general obligations of the State of Texas under this Constitution.

"(f) Should the Legislature enact enabling laws in anticipation of the adoption of this Amendment, such acts shall not be void because of their anticipatory nature."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1965, at which election all ballots shall have printed on them the following:

"FOR the Constitutional Amendment authorizing the Legislature to provide for loans to students at institutions of higher education to be known as the Texas Opportunity Plan.

"AGAINST the Constitutional Amendment authorizing the Legislature to provide for loans to students at institutions of higher education to be known as the Texas Opportunity Plan."

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election and this Amendment shall be published in the manner and for the length of time as required by the Constitution and laws of this State.

Adopted by the House on February 23, 1965: Yeas 128, Nays 4; House refused to concur in Senate amendments on March 29, 1965, and requested the appointment of a Conference Committee to consider the differences between the two Houses; House adopted the Conference Committee Report on April 6, 1965: Yeas 145, Nays 3; adopted by the Senate, with amendments, on March 24, 1965: Yeas 29, Nays 0; at the request of the House, the Senate appointed a Conference Committee to consider the differences between the two Houses; Senate adopted the Conference Committee Report on April 5, 1965: Yeas 29, Nays 0.

Signed by the Governor April 27, 1965.

PROPOSED CONSTITUTIONAL AMENDMENT— VOTERS—REGISTRATION

H. J. R. No. 13

Proposing an Amendment to Sections 2 and 4 of Article VI of the Constitution of the State of Texas so as to repeal the provision making payment of the poll tax a requirement for voting and so as to authorize the Legislature to provide for the registration of all voters.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 2 of Article VI of the Constitution of the State of Texas be amended, effective February 1, 1968, by deleting the following language:

"and provided further, that any voter who is subject to pay a poll tax under the laws of the State of Texas shall have paid said tax before offering to vote at any election in this State and hold a receipt showing that said poll tax was paid before the first day of February next preceding such election. Or if said voter shall have lost or misplaced said tax receipt, he or she, as the case may be, shall be entitled to vote upon making

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affidavit before any officer authorized to administer oaths that such tax receipt has been lost. Such affidavit shall be in writing and left with the judge of the election. The husband may pay the poll tax of his wife and receive the receipt therefor. In like manner, the wife may pay the poll tax of her husband and receive the receipt therefor."

and by substituting therefor the following language:

"provided, however, that before offering to vote at an election a voter shall have registered annually, but such requirement for registration shall not be considered a qualification of an elector within the meaning of the term 'qualified elector' as used in any other Article of this Constitution in respect to any matter except qualification and eligibility to vote at an election. Any legislation enacted in anticipation of the adoption of this Amendment shall not be invalid because of its anticipatory nature."

The text of this Section, as so amended, is shown below, with the deleted language marked through by a broken line and with the new language underscored:

"Section 2. Every person subject to none of the foregoing disqualifications who shall have attained the age of twenty-one (21) years and who shall be a citizen of the United States and who shall have resided in this State one (1) year next preceding an election and the last six (6) months within the district or county in which such person offers to vote, shall be deemed a qualified elector; and provided further, that any voter who is subject to pay a poll tax under the laws of the State of Texas shall have paid said tax before offering to vote at any election in this State and hold a receipt showing that said poll tax was paid before the first day of February next preceding such election. Or if said voter shall have lost or misplaced said tax receipt, he or she, as the case may be, shall be entitled to vote upon making affidavit before any officer authorized to administer oaths that such tax receipt has been lost. Such affidavit shall be made in writing and left with the judge of the election. The husband may pay the poll tax of his wife and receive the receipt therefor. In like manner, the wife may pay the poll tax of her husband and receive the receipt therefor, provided, however, that before offering to vote at an election a voter shall have registered annually, but such requirement for registration shall not be considered a qualification of an elector within the meaning of the term 'qualified elector' as used in any other Article of this Constitution in respect to any matter except qualification and eligibility to vote at an election. Any legislation enacted in anticipation of the adoption of this Amendment shall not be invalid because of its anticipatory nature. The Legislature may authorize absentee voting. And this provision of the Constitution shall be self-enacting without the necessity of further legislation. Any member of the Armed Forces of the United States or component branches thereof, or in the military service of the United States, may vote only in the county in which he or she resided at the time of entering such service so long as he or she is a member of the Armed Forces."

Sec. 2. That Section 4 of Article VI of the Constitution of the State of Texas be amended by changing the word "may" to "shall" in the last clause thereof and by deleting the words "in all cities containing a population of ten thousand inhabitants or more."

The text of this Section, as so amended, is shown below, with the deleted language marked through by a broken line and with the new language underscored:

"Section 4. In all elections by the people, the vote shall be by ballot, and the Legislature shall provide for the numbering of tickets and make such other regulations as may be necessary to detect and punish fraud

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and preserve the purity of the ballot box; and the Legislature ~~may~~ shall provide by law for the registration of all voters in all cities containing a population of ten thousand inhabitants or more."

Sec. 3. If any other Amendment to Sections 2 or 4 of Article VI of the Constitution of the State of Texas, being for a different purpose, is adopted at an earlier election or at the same election, the adoption of this Amendment shall not be construed as nullifying any change made by such other Amendment.

Sec. 4. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of the state at an election to be held on the first Tuesday after the first Monday in November, 1966, at which election all ballots shall have printed thereon the following:

"FOR repealing the poll tax as a requirement for voting.

"AGAINST repealing the poll tax as a requirement for voting."

Sec. 5. If the foregoing Amendment is adopted, the proclamation of the Governor declaring the adoption of the Amendment shall set forth the full text of the amended Sections, as amended herein and as amended by any other proposed Amendment which is submitted by the 59th Legislature and which has been duly adopted prior to such proclamation.

Sec. 6. The Governor of the State of Texas shall issue the necessary proclamation for the election and this Amendment shall be published in the manner and for the length of time as required by the Constitution and Laws of this State.

Adopted by the House on April 27, 1965: Yeas 113, Nays 26; House concurred in Senate amendments on May 29, 1965: Yeas 137, Nays 1; House adopted H. C. R. No. 184 authorizing certain corrections on May 29, 1965, by a non-record vote; passed by the Senate, as amended, on May 29, 1965: Yeas 21, Nays 8; Senate adopted H. C. R. No. 184 authorizing certain corrections on May 31, 1965.

Signed by the Governor June 2, 1965.

PROPOSED CONSTITUTIONAL AMENDMENT— CONSERVATION AND RECLAMATION DISTRICTS—DIRECTORS

H. J. R. No. 21

Proposing an Amendment to Article XVI, Constitution of the State of Texas, relating to the terms of office of directors of conservation and reclamation districts.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article XVI, Constitution of the State of Texas, be amended by adding a new Section to read as follows:

"Section 30c. (a) The terms of office of persons serving on the governing body of a political subdivision of the State created to further the purposes of Section 52, Article III, or Section 59, Article XVI, of this Constitution, shall never exceed six years.

"(b) Statutory provisions enacted before the first Tuesday after the first Monday in November, 1966, relating to the terms of office of governing bodies of political subdivisions created to further the purposes